

#8/a  
7/2/03  
3/27/03

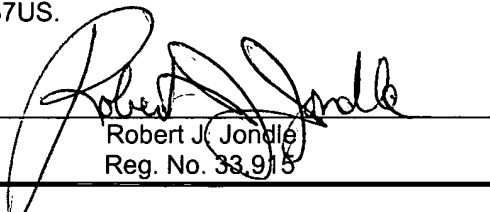
IN THE  
UNITED STATES  
PATENT AND TRADEMARK  
OFFICE

Application Number	10/050,593
Filing Date	January 16, 2002
First Named Inventor	Charles A. KING
Group Art Unit	1636
Examiner Name	D. Lambertson
Attorney Docket Number	N1375-002

Title of the Invention: Herbicide Resistant Dinitrogen Fixing Bacterial and Method of Use

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail (post office to addressee) in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on this 24th day of February 2003. The number of the Express Mail mailing label is EV211073137US.

  
Robert J. Jondle  
Reg. No. 33,915

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Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

AMENDMENT

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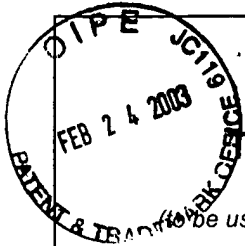
TECH CENTER 1600/2900

Sir:

In response to the Office Action mailed August 23, 2002, please enter the amendments contained on the following pages, which are summarized below.

Please cancel claims 25, 26 and 36. Please amend claims 7, 8 and 30 as shown on the following pages.

Marked up copies of the original text of the amended claims and specification are attached to this amendment. Material inserted is indicated by underlining ( ) and material deleted is indicated by strike-out (~~strike-out~~).



# TRANSMITTAL FORM

to be used for all correspondence after initial filing)

Complete if Known

Application Number	10/050,593
Filing Date	January 16, 2002
First Named Inventor	Charles A. KING
Examiner Name	David A. Lambertson
Group Art Unit	1636
Total Number of Pages in This Submission 8	Attorney Docket Number N1375-002

## ENCLOSURES (check all that apply)

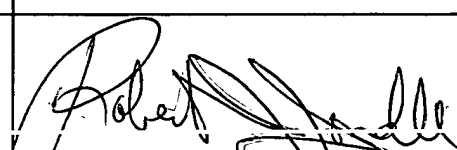
- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form                     | <input type="checkbox"/> Assignment Papers  | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input checked="" type="checkbox"/> Fee Attached                             | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input checked="" type="checkbox"/> Amendment/Reply                          | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter   |
| <input checked="" type="checkbox"/> Extension of Time Request                | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):            |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Terminal Disclaimer  |  |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> Request for Refund   |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD, Number of CD(s)  |  |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   |   |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |

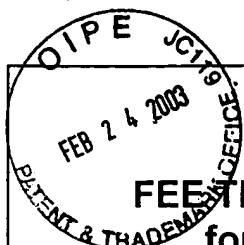
REMARKS: Certificate of Express Mail Label No. EV 211073137US

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SUBMITTED BY		Complete (if applicable)			
NAME AND REG. NUMBER	Robert J. Jondle, Reg. No. 33,915				
SIGNATURE		DATE	February 24, 2003	DEPOSIT ACCOUNT USER ID	



**FEE TRANSMITTAL**  
for FY 2003  
(Small Entity)

		Complete if Known	
		Application Number	10/050,593689,809
		Filing Date	January 16, 2002
		First Named Inventor	Charles A. KING
		Examiner Name	D. Lambertson
		Group Art Unit	1636
Total Amount of Payment	(\$465.00)	Attorney Docket Number	N1375-002

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MAR 14 2003

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**METHOD OF PAYMENT** (check one)

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 50-2368 in the name of Jondle & Associates P.C.
- ☐ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status.
2. ☒ Payment Enclosed:
- ☒ Check
- ☐ Credit Card

**FEE CALCULATION** (continued)

**3. ADDITIONAL FEES**

MAR 14 2003

Fee Code	Fee Paid	Fee Description	Fee Paid
2051	65	Surcharge - late filing fee or cost	
2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	Non-English specification	
1812	2,520	For filing a request for reexamination	
1804	920	Requesting publication of SIR prior to Examiner action	
1805	1,840*	Requesting publication of SIR after Examiner action	
2251	55	Extension for reply within first month	
2252	205	Extension for reply within second month	
2253	465	Extension for reply within third month	465
2254	725	Extension for reply within fourth month	
2255	985	Extension for reply within fifth month	
2401	160	Notice of Appeal	
2402	160	Filing a brief in support of an appeal	
2403	140	Request for Oral Hearing	
1451	1,510	Petition to institute a public use proceeding	
2452	55	Petition to revive -unavoidable	
2453	650	Petition to revive - unintentional	
2501	650	Utility issue fee (or reissue)	
2502	235	Design issue fee	
2503	315	Plant issue fee	
1460	130	Petitions to the Commissioner	
1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	Submission of Information Disclosure Statement	
8021	40	Recording each patent assignment per property (times number of properties)	
2809	375	Filing a submission after final rejection (37 CFR .129(a))	
2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
2801	375	Request for Continued Examination (RCE)	
1802	900	Request for expedited examination of a design application	
1504	300	Publication fee for early, voluntary, or normal publication	
1505	300	Publication fee for republication	
1455	200	Filing an application for patent term adjustment	
1456	400	Request for reinstatement of term reduced	
		Other fee (specify)	

**FEE CALCULATION**

**1. FILING FEE**

Fee Code	Fee \$	Fee Description	Fee Paid
2001	375	Utility filing fee	
2002	165	Design Filing Fee	
2003	260	Plant Filing Fee	
2004	375	Reissue Filing Fee	
2005	80	Provisional Filing Fee	

**SUBTOTAL \$**

**2. CLAIMS**

Total Claims	Independent Claims	Multiple Dependent Claims	Extra Claims	Fee	Fee Paid
[ ]	[ ]	[ ]	- 20** = [ ] x	\$ 9 = [ ]	[ ]
[ ]	[ ]	[ ]	- 3** = [ ] x	42 = [ ]	[ ]
[ ]	[ ]	[ ]	+	140 = [ ]	[ ]

\*\*or number previously paid, if greater;

**SUBTOTAL \$**

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL**

**\$465.00**

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER	Robert J. Jondle, Reg. No. 33,915		
SIGNATURE		DATE	February 24, 2003
		DEPOSIT ACCOUNT USER ID	